

AMENDED IN SENATE MAY 20, 2002

AMENDED IN SENATE APRIL 16, 2002

AMENDED IN SENATE APRIL 2, 2002

SENATE BILL

No. 1645

Introduced by Senator Sher

February 21, 2002

An act to amend ~~Sections 4000 and~~ *Section* 4005 of the Fish and Game Code, relating to trapping, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

SB 1645, as amended, Sher. Trapping animals.

(1) Under existing law, a person who takes fur-bearing mammals or nongame mammals by means of a trap, or who sells furs of those mammals, is required to obtain a trapping license from the Department of Fish and Game, except persons taking mammals injurious to growing crops or other property.

This bill would ~~delete that exemption from the requirement for specify that persons taking mammals on a contract fee basis are required to procure~~ a trapping license.

Because a violation of the trapping license requirement is a crime, the bill would impose a state-mandated local program by ~~changing~~ *expanding* the definition of a crime.

(2) ~~The bill would define "nongame mammals" and would make nonsubstantive changes in other definitions.~~

~~(3)~~ The bill would require additional persons to obtain trapping licenses, for which a fee is required. Because the fees are required by other provisions of law to be deposited in the Fish and Game

Preservation Fund, a continuously appropriated fund, the bill would make an appropriation.

~~(4)~~

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: yes. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

1 ~~SECTION 1. Section 4000 of the Fish and Game Code is~~
2 ~~amended to read:~~

3 ~~4000. For purposes of this chapter, the following definitions~~
4 ~~apply unless the context clearly requires otherwise:~~

5 ~~(a) "Fur-bearing mammals" means the pine marten, fisher,~~
6 ~~wolverine, mink, river otter, gray fox, cross fox, silver fox, red fox,~~
7 ~~kit fox, raccoon, beaver, badger, and muskrat.~~

8 ~~(b) "Nongame mammals" means the bobcat, coyote,~~
9 ~~opossum, spotted skunk, striped skunk, long-tailed weasel, and~~
10 ~~ermine.~~

11 ~~(c) "Raw fur" means any fur, pelt, or skin that has not been~~
12 ~~tanned or cured, but salt or sun-cured pelts are raw furs.~~

13 ~~SEC. 2.~~

14 ~~SECTION 1.~~ Section 4005 of the Fish and Game Code is
15 amended to read:

16 4005. (a) Every person, other than a fur dealer, who takes
17 fur-bearing mammals or nongame mammals, designated by the
18 commission, by means of a trap, or who sells raw furs of those
19 mammals, shall procure a trapping license.

20 (b) The department shall develop standards that are necessary
21 to ensure the competence and proficiency of applicants for a
22 trapping license.

23 (1) No person shall be issued a license until he or she has passed
24 a test of his or her knowledge and skill in this field.

1 (2) *Persons taking mammals on a contract fee basis are*
2 *required to procure a trapping license. No raw furs taken on a*
3 *contract fee basis may be sold.*

4 (3) Persons taking mammals in accordance with Section 4152
5 or 4180 are *not* required to procure a trapping license. *No raw furs*
6 *taken under Section 4152 or 4180 may be sold. For purposes of this*
7 *chapter, “raw fur” means any fur, pelt, or skin that has not been*
8 *tanned or cured, but salt or sun cured pelts are raw furs.*

9 ~~(A) No raw furs taken pursuant to Sections 4152 or 4180 may~~
10 ~~be sold.~~

11 ~~(B) The department may create one set of standards appropriate~~
12 ~~for the taking of mammals in accordance with Section 4152 and~~
13 ~~one set of standards for the taking of mammals in accordance with~~
14 ~~Section 4180.~~

15 ~~(c) The department shall post information related to trapping~~
16 ~~licensing requirements, trapping regulations, and safety~~
17 ~~information on the department’s Internet Web site.~~

18 ~~(d)~~

19 (c) Officers or employees of federal, county, or city agencies or
20 the department, when acting in their official capacities, or officers
21 or employees of the Department of Food and Agriculture when
22 acting pursuant to the Food and Agricultural Code pertaining to
23 pests or pursuant to Article 6 (commencing with Section 6021) of
24 Chapter 9 of Part 1 of Division 4 of the Food and Agricultural
25 Code, are exempt from the license requirement of this section.

26 ~~SEC. 3.~~

27 SEC. 2. No reimbursement is required by this act pursuant to
28 Section 6 of Article XIII B of the California Constitution because
29 the only costs that may be incurred by a local agency or school
30 district will be incurred because this act creates a new crime or
31 infraction, eliminates a crime or infraction, or changes the penalty
32 for a crime or infraction, within the meaning of Section 17556 of
33 the Government Code, or changes the definition of a crime within
34 the meaning of Section 6 of Article XIII B of the California
35 Constitution.